

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : **LAFOUASSE, Maryse**
SERIAL NO : 10/766,502
FILED : January 28, 2004
TITLE : INBRED MAIZE LINE PH0GC

Grp./A.U. : 1638
Examiner : **KRUSE, David H.**
Conf. No. : 3477
Docket No. : P06312US01 - PHI 1367C

**STATEMENT REGARDING COMMON OWNERSHIP
UNDER MPEP §706.02(I)(1) & §706.02(I)(2)**

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the communication from the Examiner on February 17, 2005, it is respectfully requested that this Statement Regarding Common Ownership under MPEP §706.02(I)(1) and §706.02(I)(2) be entered and made of record. Applicant respectfully requests reconsideration.

=====

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

I hereby certify that this correspondence is, on the date shown below, being:

MAILING

☒ deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Mail Stop Amendment, Alexandria, VA 22313-1450.

FACSIMILE

☐ transmitted by facsimile to the Patent and Trademark Office, Art Unit 1638 at Fax No. (571) 273-8300.

Date: May 17, 2005


LILA A. T. AKRAD

I, Lila A. T. Akrad, hereby declare and state the following:

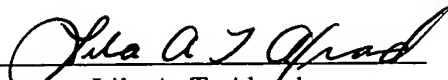
1. I am the attorney of record in the above-identified case.
2. It is submitted that the subject matter of the reference and the claimed invention were, at the time of the invention was made, owned by the same person or subject to an obligation of assignment to the same person.
3. It is asserted the present application, U.S. Serial No. 10/766,502 and Boulch *et al.* (U.S. Patent No. 6,781,042) were, at the time the invention of U.S. Serial No. 09/759,802 was made, owned by and assigned to Pioneer Hi-Bred International, Inc. as can be evidenced by the assignments recorded in U.S. Serial No. 10/766,502 and U.S. Patent No. 6,781,042.
4. Attached are copies of the official Notice of Recordation of Assignment Documents for the present case, U.S. Serial No. 10/766,502 and for Boulch *et al.* (U.S. Patent No. 6,781,042) received from the USPTO.
5. It is respectfully requested the Examiner withdraw the rejection under 35 U.S.C. § 103(a) as obvious over Boulch *et al.* (U.S. Patent No. 6,781,042).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issued thereon.

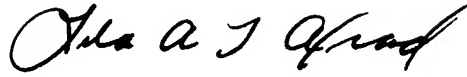
No fees or extensions of time are believed to be due in connection with this statement; however, consider this a request for any fee inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Dated

5/17/05


Lila A. T. Akrad

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Lila A. T. Akrad".

LILA A. T. AKRAD, Reg. No. 52,550
McKEE, VOORHEES & SEASE, PLC
801 Grand Avenue, Suite 3200
Des Moines, Iowa 50309-2721
Telephone 515-288-3667
Facsimile 515-288-1338

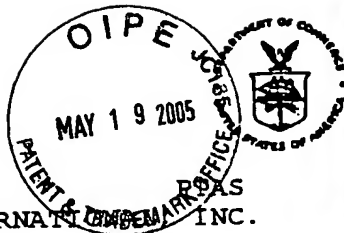
CUSTOMER NO. 27142
Attorneys of Record

- lata/bja -

**RECORDED ASSIGNMENT FOR
PHI 1367 and PHI 1367C
(09/759,802 and 10/766,502, respectively)**

MARCH 27, 2002

PIONEER HI-BRED INTERNATIONAL, INC.
STEVEN CALLISTEIN
CORPORATE INTELLECTUAL PROPERTY
7100 N.W. 62ND AVENUE-P.O. BOX 1000
JOHNSTON, IOWA 50131-1000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/26/2002

REEL/FRAME: 012522/0068
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
LAFOUASSE, MARYSE

DOC DATE: 01/12/2001

ASSIGNEE:
PIONEER HI-BRED INTERNATIONAL,
INC.
7100 N.W. 62ND AVENUE - P.O. BOX
1000
CORPORATE INTELLECTUAL PROPERTY
JOHNSTON, IOWA 50131-1000

DOCKETED
APR 09 2002

SERIAL NUMBER: 09759802
PATENT NUMBER:

FILING DATE: 01/12/2001
ISSUE DATE:

ANTIONE ROYALL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

03/26/2002
700011661

ATTORNEY DOCKET NO. 1367

FORM PTO-1595

RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Maryse Lafouasse

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Pioneer Hi-Bred International, Inc.
Corporate Intellectual Property
7100 N.W. 62nd Avenue
P.O. Box 1000
Johnston, Iowa 50131-1000Additional name(s) and address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment
☐ Security Agreement
☐ Other

- ☐ Merger
☐ Change of Name

Execution Date: January 12, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No.(s)

09/759,802

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Steven Callistein
Pioneer Hi-Bred International, Inc.
Corporate Intellectual Property
7100 N.W. 62nd Avenue
P.O. Box 1000
Johnston, Iowa 50131-10006. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41) \$40.00

- ☐ Enclosed
☒ Authorized to be charged to deposit account

8. Deposit account number: 16-1852

(Attach a duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Steven Callistein
Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document 3

ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

PIONEER HI-BRED INTERNATIONAL, INC.
800 Capital Square
400 Locust Street
Des Moines, Iowa 50309

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

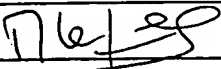

"INBRED MAIZE LINE PH0GC"

as set forth in his United States Patent Application

☐ executed concurrently herewith
☒ executed on January 12, 2001
☒ Serial No. 09/759,802 filed January 12, 2001

said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions, and to testify in any proceedings relating to said inventions, patent applications, Letters Patent.

The undersigned hereby grant an authorized representative of Assignee the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

<i>NAME AND SIGNATURE OF INVENTOR</i>		
Name: Maryse Lafouasse	Signature: 	Date: 12/01/2001
<i>NAME AND SIGNATURE OF WITNESSES</i>		
Name: DEP BONS Pierre	Signature: 	Date: 12/01/2001
Name:	Signature:	Date:

Note: Prima facie evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.

RECORDED ASSIGNMENT FOR

PHI 1475 (10/270,933 now

U.S. Patent No. 6,781,042)

NOVEMBER 18, 2002

PTAS
PIONEER HI-BRED INTERNATIONAL, INC.
STEVEN CALLISTEIN
7100 N.W. 62ND AVENUE
P.O. BOX 1000
JOHNSTON, IOWA 50131-1000



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

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RECORDATION DATE: 11/18/2002

REEL/FRAME: 013246/0559
NUMBER OF PAGES: 8

BRIEF: DOCUMENT PREVIOUSLY RECORDED AT REEL 013234 FRAME 0970 CONTAINED ERRORS IN PROPERTY NUMBER 10271933. DOCUMENT RE-RECORD TO CORRECT ERRORS ON STATED REEL.

ASSIGNOR:
BOULCH, GUENOLE

DOC DATE: 10/07/2002

ASSIGNOR:
NEIBUR, WILLIAM

DOC DATE: 10/31/2002

ASSIGNOR:
LOISEL, THIERRY CHRISTIAN GUY

DOC DATE: 11/06/2002

ASSIGNEE:
PIONEER HI-BRED INTERNATIONAL,
INC.
800 CAPITAL SQUARE 400 LOCUST
STREET
DES MOINES, IOWA 50309

SERIAL NUMBER: 10270933
PATENT NUMBER:

FILING DATE:
ISSUE DATE:

013246/0559 PAGE 2

LAZENA MARTIN, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT - WORLDWIDE

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto

PIONEER HI-BRED INTERNATIONAL, INC.
800 Capital Square
400 Locust Street
Des Moines, Iowa 50309

its successors and assigns, the entire right, title and interest, so far as concerns the United States and the Territories and Possessions thereof and all foreign countries in and to the invention in

INBRED MAIZE LINE PH5FW

as set forth in his/her United States Patent Application

☐
☒
☐

executed concurrently herewith

executed on October 15, 2002

Serial No. _____ filed _____

said application for United States Letters Patent, including all divisional, renewal, substitute, continuation and Convention applications based in whole or in part upon said inventions or upon said applications, and any and all Letters Patent and reissues and extensions of Letters Patent granted for said inventions or upon said applications and every priority right that is or may be predicated upon or arise from said inventions, said applications, and said Letters Patent; said Assignee being hereby authorized to file patent applications in any or all countries on any or all said inventions in the name of the undersigned or in the name of said Assignee or otherwise as said Assignee may deem advisable, under the International Convention or otherwise; the Commissioner of Patents and Trademarks of the United States of America being hereby authorized to issue or transfer all said Letters Patent to said Assignee in accordance herewith; this assignment being under covenant, not only that full power to make the same is had by the undersigned, but also that such assigned right is not encumbered by any grant, license, or other right theretofore given, and that the undersigned will do all acts reasonably serving to ensure that the said inventions, patent applications and Letters Patent shall be held and enjoyed by said Assignee as fully and entirely as the same could have been held and enjoyed by the undersigned if this assignment had not been made, and particularly to execute and deliver to said Assignee all lawful documents including petitions, specifications, oaths, assignments, invention disclaimers, and lawful affidavits in form and substance which may be requested by said Assignee, to furnish said Assignee with all facts relating to said inventions or the history thereof and any and all documents, photographs, models, samples or other physical exhibits which may be of said inventions, and to testify in any proceedings relating to said inventions, patent applications, Letters Patent.

The undersigned hereby grant an authorized representative of Assignee the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

NAME AND SIGNATURE OF INVENTOR		
Name: Guenole Boulch	Signature: <i>Guenole Boulch</i>	Date: 7 OCT 2002
NAME AND SIGNATURE OF WITNESSES		
Name: Terence Molnar	Signature: <i>Terence Molnar</i>	Date: 7 Oct 2002
Name: Duffin Nolas	Signature: <i>Duffin Nolas</i>	Date: 7 Oct 2002

NAME AND SIGNATURE OF INVENTOR		
Name: William Niebur	Signature:	Date:
NAME AND SIGNATURE OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

NAME AND SIGNATURE OF INVENTOR		
Name: Thierry Christian Guy Loisel	Signature:	Date:
NAME AND SIGNATURE OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

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NAME AND SIGNATURE OF INVENTOR		
Name: Guenole Boulch	Signature:	Date:

NAME AND SIGNATURE OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

NAME AND SIGNATURE OF INVENTOR		
Name: William Niebur	Signature: <i>William Niebur</i>	Date: 10/31/02

NAME AND SIGNATURE OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

NAME AND SIGNATURE OF INVENTOR		
Name: Thierry Christian Guy Loisel	Signature:	Date:

NAME AND SIGNATURE OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

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Dana A. Howard
Dana A. Howard
 10/31/02

Joanne M. Cornetta
Joanne M. Cornetta
 10/31/02

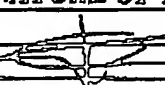
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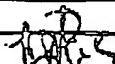
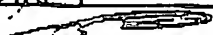
NAME AND SIGNATURE OF INVENTOR		
Name: Guenole Bouleh	Signature:	Date:

NAME AND SIGNATURE OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

NAME AND SIGNATURE OF INVENTOR		
Name: William Niebur	Signature:	Date:

NAME AND SIGNATURE OF WITNESSES		
Name:	Signature:	Date:
Name:	Signature:	Date:

NAME AND SIGNATURE OF INVENTOR		
Name: Thierry Christian Guy Loisel	Signature: 	Date: 6-Nov-02

NAME AND SIGNATURE OF WITNESSES		
Name: DAVID T. Bernard	Signature: 	Date: 6 Nov. 2002
Name: OLIVE Camille	Signature: 	Date: 6 Nov 2002

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